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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/787,533

Filing Date

February 26, 2004

First Named Inventor

Rachel Branchley

Art Unit

2875

Examiner Name

Attorney Docket Number

1220.SEW.CN

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) _____

☐ Landscape Table on CD

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After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

-Request for Corrected Filing Receipt

-Return Postcard

Remarks

The Commissioner is authorized to charge any amount owing or credit any overpayment to
Deposit Account No. 502720.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

BATEMAN IP LAW GROUP

Signature

Printed name

Randall B. Bateman

Date

June 1, 2005

Reg. No.

37,774

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Randall B. Bateman

Date

June 1, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Rachel Brenchley et al.
Serial Nunmber: 10/787,533
Filed: February 26, 2004
Group: 2875
Examiner:
For: Apparatus and Method for Flameless Burning of CandlesAttorney
Docket: 1220.SEW.CN

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P.O. Box 1450
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Signed Randall B. Lee

**REQUEST FOR CORRECTED FILING RECEIPT OR, IN THE ALTERNATIVE,
PETITION TO ACCEPT UNINTENTIONALLY DELAYED PRIORITY CLAIM**

Dear Sir:

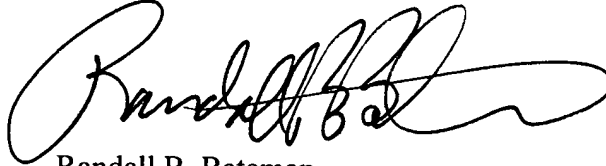
Applicant filed the above-referenced case on February 26, 2004. Upon filing Applicant noted on the transmittal sheet that the present application was a continuation of Serial No. 09/861,324, filed May 18, 2001. The filing receipt for the application properly lists the prior application and filing date, but erroneously indicates that the application is a continuation-in-part, rather than a continuation. On March 16, 2005, Applicant filed a preliminary amendment properly identifying the priority as being a continuation. The error on the filing receipt was not noticed until applicants' counsel was reviewing the case during routine review. Thus,

Applicants request that the filing receipt and PTO records be corrected to show the application as a continuation. If necessary, please consider the present request as a petition to accept a late filed priority claim. Any delay in filing the correct priority claim was unintentional.

The Commissioner is authorized to charge any amount owing or credit any overpayment to Deposit Account No. 50-2720. Should there be any questions regarding this request for a corrected filing receipt, please contact Applicants' counsel, Randall B. Bateman, at (801) 533-0320 so that such matters may be quickly resolved.

Sincerely,

BATEMAN IP LAW GROUP

A handwritten signature in black ink, appearing to read "Randall B. Bateman", with a large, sweeping flourish at the end.

Randall B. Bateman
Reg. No. 37,774
8 East Broadway, Suite 550
P.O. Box 1319
Salt Lake City, UT 84110

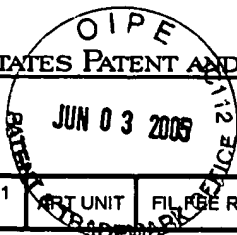
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL REC REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/787,533	02/26/2004	2875	671	1220.SEW.CN	7	35	5

CONFIRMATION NO. 1213

UPDATED FILING RECEIPT



OC000000013555485

 27472
 RANDALL B. BATEMAN
 BATEMAN IP LAW GROUP
 4 TRIAD CENTER, SUITE 825
 PO BOX 1319
 SALT LAKE CITY, UT 84110

Date Mailed: 08/17/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)
 Rachel Brenchley, Providence, UT;
 Greg Brenchley, Providence, UT;
 Linda Thatcher, Logan, UT;
 Sid Thatcher, Logan, UT;
 Lee Tibbits, Millville, UT;
Domestic Priority data as claimed by applicant
 This application is a ~~OP~~ of 09/861,324 05/18/2001
Continuation
Foreign Applications

If Required, Foreign Filing License Granted: 05/18/2004

Projected Publication Date: 11/25/2004

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Apparatus and method for flameless burning of candles

Preliminary Class

362

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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